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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,788	01/11/2002	Charles William Worrell	RCA 89608	6398

7590 01/24/2005

Joseph S Triopli
Thomson Multimedia Licensing Inc
PO Box 5312
Princeton, NJ 08543-5312

EXAMINER

VU, TRISHA U

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,788

Applicant(s)

WORRELL ET AL.

Examiner

Trisha U. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to: See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-13 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 and 4-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Kreft (5,847,372).

As to claim 1, Kreft discloses a computer controlled device operable using an integrated circuit (IC) card of a first type or of a second type (Fig. 1), the device comprising: a card reader, coupled to a microcontroller (5), wherein the card reader receives the IC card, said card reader having means for applying a first signal to at least one of the operational contacts of the IC card that is placed in said card reader; wherein the IC card of the first type responds differently to the first signal than the IC card of the second type (incoming information can be evaluated by software in the connecting unit 4) (col. 2, lines 18-37), at least one of the IC cards producing a distinct second signal in response to the first signal; means for determining whether the IC card in the card reader has produced the second signal; and wherein means are provided for one of blocking and

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enabling signals over at least one of said operational contacts, in response to said determining means (col. 1 lines 51-61 and col. 2 lines 50-62).

As to claim 2, Kreft further discloses one of said cards of the first type and of the second type is an ISO/7816 card (Fig. 1).

As to claim 4, Kreft further discloses said card reader applies the first signal to an input/output contact of the IC card and monitors whether the IC card produces the second signal at the input/output contact of the IC card (col. 1, lines 51-61 and col. 2, lines 17-62).

As to claim 5, Kreft further discloses at least one of the means for producing, the means for determining and the means for blocking is contained in an interface controller, and wherein said operational contacts comprise a connector coupled to said interface controller, for providing a conductive path between said interface controller and the IC card (col. 2, lines 50-62).

3. Claims 6-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee (5,712,472).

As to claim 6, Lee teaches a computer controlled device operable using an integrated circuit (IC) card of a first type or of a second type (Fig. 2 and col. 2, lines 35-50), the device comprising: a card reader (41), coupled to a microcontroller (in 41 or 41), wherein the card reader receives the IC card, said card reader having means for applying a first signal to at least one of the operational contacts of the IC card that is placed in said card reader; wherein the IC card of the first type responds differently to the first signal than the IC card of the second type, at least one of the IC cards producing a distinct

second signal in response to the first signal; means for determining whether the IC card in the card reader has produced the second signal (via detection of an answer-to-reset ATR signal); and wherein means are provided for one of blocking and enabling signals over at least one of said operational contacts, in response to said determining means (Fig. 4 and col. 4, lines 12-60); wherein said means for one of blocking and enabling comprises: a buffer; and a resistor, coupled to said connector, for coupling the contact of the IC card to a supply voltage (Fig. 5 and col. 5, lines 12-47).

As to claim 7, Lee teaches a method of providing an interface for an integrated circuit (IC) card of a first type or of a second type, the IC card having operational contacts and responding differently to signals applied to their respective operational contacts (Fig. 2 and col. 2, lines 35-50), the method comprising the steps of: providing one reader (41) having operational contacts for receiving the IC card; accepting an integrated circuit (IC) card into the reader; determining whether the integrated circuit (IC) card in the reader is a card of the first type or a card of the second type by subjecting the card in the reader to a signal and determining whether a responsive signal from the card is characteristic of a card of the first type or a card of the second type (in response to an answer-to-reset signal); and implementing an interface for the identified IC card (col. 2, lines 35-50), wherein at least one signal path to predetermined ones of the operational contacts is enabled, or at least one signal path is disabled, as a result of whether the responsive signal was determined to be characteristic of the first type or the second type (Fig. 5 and col. 5, lines 12-47).

As to claim 8, Lee further teaches the signal is selected such that a card of one of said first and second types transmits a reply signal in response to the signal and a card of the other of said first and second types is non-responsive to the signal (answer-to-reset signal is not received) (col. 5, lines 12-47).

As to claim 9, Lee further teaches the signal is a reset signal (col. 2, lines 35-50).

As to claim 10, Lee further teaches said implementing step comprises the step of disabling selected contacts of the IC card if said determining step identifies the IC card as a card of one of said two types (Fig. 5 and col. 5, lines 12-47).

As to claim 11, Lee further teaches said implementing step comprises the step of enabling selected contacts of the IC card if said determining step identifies the IC card as a card of one of said two types (Fig. 5 and col. 5, lines 12-47).

As to claim 12, Lee further teaches one of said types is ISO/7816 (col. 3, lines 21-34).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kreft (5,847,372) in view of Morrison et al. (6,601,238) (herein after Morrison).

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As to claim 3, the argument above for claim 1 applies. However, Kreft does not explicitly disclose one of said cards of the first type and of the second type is an NRSS card. Morrison teaches different types of cards including ISO 7816 and NRSS cards sharing the same interface (col. 8, lines 7-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include NRSS card as taught by Morrison in the system of Kreft to expand the system's functionality and flexibility to provide a plurality of different types of cards.

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (5,712,472) in view of Morrison et al. (6,601,238) (herein after Morrison).

As to claim 13, the argument above for claim 7 applies. However, Lee does not explicitly disclose one of said types is NRSS. Morrison teaches different types of cards including ISO 7816 and NRSS cards sharing the same interface (col. 8, lines 7-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include NRSS card as taught by Morrison in the system of Lee to expand the system's functionality and flexibility to provide a plurality of different types of cards.

Response to Arguments

6. Applicant's arguments filed 11-01-04 have been fully considered but they are not persuasive:

With respect to Applicant's arguments regarding claim 1 (pages 6-7 of the Remarks) that "Kreft's invention is directed to a single chip card that can be used with

different terminals... Kreft does not address the problem of different IC cards with different standards being used a single read/write device. Thus, Applicant's invention operates differently to provide a different solution than Kreft", it is noted that the chip card in Kreft (e.g. connecting unit 4 or microcontroller 5 when connecting unit 4 is installed directly on the chip of microcontroller 5) functions as "a card reader coupled to a microcontroller" in claim 1 to detect different types of IC cards (read/write devices), where in the IC card of the first type responds differently to the first signal than the IC card of the second type, at least one of the IC cards producing a distinct second signal in response to the first signal (note col. 2 lines 55-62 wherein contact card fields on cards and in read/write devices sometimes have unoccupied contact connections, and these can be used by means of a physical signal evaluation for a recognition, and col. 1 lines 58-61 wherein the evaluation of the physical configuration of the contact connections and/or the contact-free connections can be carried out by signal transmission by unoccupied contacts on the chip card); the device further comprises means for providing one of blocking and enabling signals over at least one of the contacts in response to determining whether the IC card has produced a second signal (note at least col. 1 lines 39-49 wherein connections are made on the basis of the physical configuration of the connections and *the connecting unit established a connection for the data exchange*, therefore this implies that means are provided for one of blocking and enabling signals over the contact(s).

With respect to Applicant's arguments regarding claims 6-7 (page 8 of the Remarks) that "Lee discloses that different files are selected by the reader. Only **after the card-type file is read**, the connection terminals are deactivated. Hence, the

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operational contacts of Lee are not controlled as the result of the responsive signal”: first, note that even though the connection terminals are deactivated only after the card-type file is read, it is still controlled by the responsive signal, since if there is no reset signal sending out for detection and there is no reply sending back, there would be no deactivation step as taught. Second, consider the claim limitations which stated “wherein at least one signal path to predetermined ones of the operational contacts is enable, **or** at least one signal path is disabled”, in this case since Lee teaches enabling the communication to conduct data processing of the card in dependence upon the type determination, therefore at least one signal path to predetermined ones of the contacts is enabled for communication upon the detection (at least claim 2 and col. 4 lines 12-36).

Conclusion

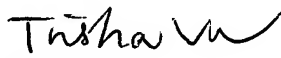
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

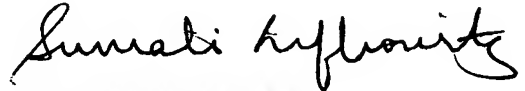
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trisha Vu whose telephone number is 571-272-3643. The examiner can normally be reached on Mon-Thur and alternate Fri 8:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Trisha Vu
Examiner
Art Unit 2112

uv


SUMATI LEFKOWITZ
PRIMARY EXAMINER